

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ERIC A. GONZALES

VS.

CITY OF CORPUS CHRISTI, Officer M.
MORROW, #273, Officer M GOCE #260;
NUECES COUNTY, TEXAS, Deputy D.
GARZA, #345__, Deputy J. ESCOBEDO
#7347, Deputy C. GOMEZ, Deputy C.
CASARES #7172, LT. E. B. HINOJOSA #5679*
Sheriff LARRY OLIVAREZ, SR., H. E.
BUTT GROCERY COMPANY, H. E. B.
GROCERY COMPANY LP, general partner
HEBCO GP, and ALFRED VILLARREAL,
and IRMA CABRERA

C.A. No. 05-280 [2:05-cv-280]

United States Courts
Southern District of Texas
FILED

OCT - 5 2005

Michael N. Milby, Clerk of Court

Plaintiff Request a Jury Trial

PLAINTIFF'S EXHIBITS VOLUME I CONTAINING EXHIBITS RELIED UPON IN
SUPPORT OF OBJECTION AND RESPONSE TO DEFENDANTS MOTIONS FOR
SUMMARY JUDGMENT

TO THE JUDGE OF SAID COURT:

Comes now, Plaintiff Eric Gonzales and files this his Exhibits Volume I containing documents being filed contemporaneously with his objection and response to the Defendants Motion for Summary Judgment. Exhibits Volume I contains the following identified exhibits. The exhibits are relied upon by Gonzales in his objection and response to the defendants Motions for Summary Judgment, and are incorporated herein as if fully set forth. Exhibits 12 and 13 [photographs] and Exhibit 19 (confidential school records), and Exhibits 20, 21, 22, 23, and 24 [records from deputy defendants personnel records that a confidential agreement has been entered into] are being delivered to the Court and have not been filed electronically.

Exhibit No.	Exhibit Date	Description of Exhibit
1	6/3/2004	Address Inquiry and Dispatch Record from CCPD regarding incident at HEB and transport to Nueces County Jail [bate numbers 0000001-0000002]
2	6/3/2004	Nueces County Sheriff Intake form indicating ADDH [bate number 000015]
3	6/3/2004	Mental Disability/Suicide Intake Screening [bate number 000017]
4	6/3/2004 @ 1530	Use of Restraint/Injury Report [bate number 000023-24]
5	6/3/2004 @ 17:15	Official Receipt of Nueces County [bate number 000021]
Def. Ex. "D"	6/3/2004	Acceptance [medical record] [bate number 000096]
6	6/3/2004	Correctional Health Services medical reports and holding cell check [000096-0000100]
Def. Ex. "E"	6/3/2004	Pre-suit statement of Defendant Garza [bate number 000025]
Def. Ex. "F"	6/3/2004	Pre-suit statement of Defendant Escobedo [bate numbers 000026-000028]
7	6/3/2004	Pre-suit statement of George L. Cano [bate number 000033]
8	6/3/2004	Pre-suit statement of Defendant Casares [bate number 000029]
9	6/3/2004	Pre-suit statement of Defendant Chris Gomez [bate number 000030]
10	6/3/2004	Pre-suit statement of P. Gomez [bate number 000031]
11	7/15/04	Pre-suit statement of Hinojosa [bate number 000032]
12	6/3/2004	Mug Shot of Eric Gonzales [bate number 000037]
13	6/4/2004	Photographs of injuries
14	6/4/2004	Medical Treatment records from Christus Spohn Hospital [bate numbers 0000001, 0000009-23]

Exhibit No.	Exhibit Date	Description of Exhibit
15	10/5/2005	Medical Expense Summary totaling \$11,345.20
16	6/4/2004, 6/9/2004, and 6/25/2004	Medical Expense Records from Christus Spohn Hospital [bate numbers 0000055-58]
17	8/29/2005	Medical Expense bill and estimate for dental treatment from Dr. R. H. Carey, DDS [bate number 0000061, 0000062]
18	7/22/2005	Medical expense bill and estimate for treating dental infection from Morgan Street Dental Center [bate numbers 0000059-60]
19	1997 1998	1997 and 1998 portion of school records regarding special education for ADDH. [bate numbers 000025-41]
20	02/28/2003	Statement of Betty Ann Arizmendi regarding discussion and accusation by D. Garza. [from C. Gomez personnel file bate number 00075]
21	5/15/2003 5/2/2003	Statement from Sgt. N. Smith regarding C. Casares making threatening statements to inmates. [from Casares personnel file bate numbers 00198-00199] Statement of C. Casares concerning "soft deputies" to "hard deputies" [bate number 00200]
22	7/21/2005 4/30/2004 10/4/2000	Statement of Capt. J. Suarez terminating Escobedo. [from Escobedo personnel record bate number 00269-271] Escobedo resignation from the Correctional Training Officer Program. [Escobedo personnel file bate number 00286] Applicant [Escobedo] interviewer form completed [from Escobedo personnel file bate numbers 00375-376]

Exhibit No.	Exhibit Date	Description of Exhibit
23	4/20/2030	From Inmate communication form reporting placing sick persons in cell rather than providing medical treatment. [from Hinojosa personnel file bate numbers 00610-612]
24		Disciplinary and grievance documents from D. Garza personnel file. [from personnel file of D. Garza bate numbers 000132-141; 000148-151; 000153; 000176; 000181; 000185-187; 000196-199; 000205-206; 000211-215; 000263-266; 000277-278; 000286-289; 000299; 000311; 000324; 000426]
25		Nueces County Policy and Procedures regarding supervisors [3.02 C., G., [bate numbers 000579, 000582]
26		Violent Cell from Jail Standards [bate numbers 000364, 000468]
27		Prohibited Sanctions from Jail Standards Chapter 283.1 (4) [bate number 000537, 000538]
28		Xanex information from PDR
29	8/11/2005	Deposition of Eric Gonzales
30	10/5/2005	Affidavit of Gail Dorn authenticating exhibits and reference to list of complaints, etc.

CERTIFICATE OF SERVICE: This is to certify that a true and correct copy of the foregoing pleading was this date delivered to counsel for Defendant **City of Corpus Christi**, Carol Estes Bray, Texas Bar No. 06675500, Federal ID 4634, P. O. Box 9277, Corpus Christi, Texas 78469-9277, (361) 880-3364, FAX: (361) 880-3239; Defendants **Morrow, Goce** James F. McKibben, Texas Bar 13713000, Federal ID 914, 1100 Tower II, 555 North Carancahua, Corpus Christi, Texas 78478, (361) 882-6611, FAX: (361)

883-8353; Defendants **Nueces County, Olivarez**, Van Huseman, Texas Bar No.

10323500, Federal ID 1167, Paul Dodson, Texas Bar No. 05942000, Federal ID No., 600

Leopard Street, Suite 2100, Corpus Christi, Texas 78473, (361) 883-3563, Facsimile:

(361) 883-0210; Defendants **Escobedo, Gomez, Casares, and Hinojosa**, Jorge C.

Rangel, Texas Bar 16543500, Federal ID 5698, 615 Upper North Broadway, Suite 2020,

Corpus Christi, Texas 78470, (361) 883-8500, FAX: (361) 883-2611; Defendant **Garza**,

Ron Barroso, Texas Bar 01827600, Federal ID 368, 5350 South Staples, Suite 401,

Corpus Christi, Texas 78411, (361) 994-7200, FAX: (361) 994-0069; Defendants **HEB**,

HEBCO, Villarreal, Douglas E. Chaves, Texas Bar 04161400, Federal ID 1895, 802

North Carancahua, Suite 2100, Corpus Christi, Texas 78470, (361) 884-5400, FAX: (361)

884-5401; Defendant **Cabrera**, F. Edward Barker, Texas Bar 01741000, Federal ID 970,

555 North Carancahua, Suite 1200 Tower II, Corpus Christi, Texas 78478, (361) 881-

9217, FAX: (361) 882-9437, on this the 5th day of October, 2005.

Respectfully submitted,


/s/ William H. Berry, Jr.

WILLIAM H. BERRY, JR.

Attorney in Charge for Plaintiff

P. O. Box 23064

Corpus Christi, Texas 78403

(361) 888-5568; Facsimile: (361) 888-5578

Texas Bar No. 02251000

Federal I.D. No. 1155


/s/ Gail D. C. Dorn

GAIL D. C. DORN

Attorney for Plaintiff

P.O. Box 23064

Corpus Christi, Texas 78403

(361) 888-5568; Facsimile: (361) 888-5578

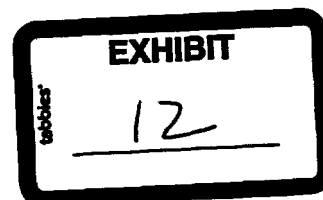
Texas Bar Card No. 06007350

Federal ID: 16311

NUECES COUNTY SHERIFF'S DEPARTMENT

MUGSHOT PROFILE

BOOKING: 040603171419
SID: 10080713
NAME LAST: GONZALES
FIRST: ERIC
SUFFIX:
RACE: Hispanic
SEX: Male
DATE OF BIRTH: Mar 1 1979 12:00AM
HEIGHT: 6'01"
WEIGHT: 350
ALIAS:
HAIR COLOR: BLACK
HAIR LENGTH: EAR LENGTH
FACIAL HAIR: MUSTACHE W GOTEE
EYE COLOR: BROWN
EYE CHARACTERISTICS: NORMAL
GLASSES: No
JEWELRY - NOSE: NONE
JEWELRY - EAR: NONE
TEETH: STRAIGHT
FACIAL SCAR: NONE
BUILD: HEAVY
BODY SCAR: NONE
CRIPPLED: NONE
SMT TYPE 1: TATTOO
SMT LOC 1: ARM
SMT DESC 1: LEFT UPPER ARM TATT
"E.G."
SMT TYPE 2:
SMT LOC 2:
SMT DESC 2:
MISSING LIMBS: NONE



Sheriff/NueCo
000037

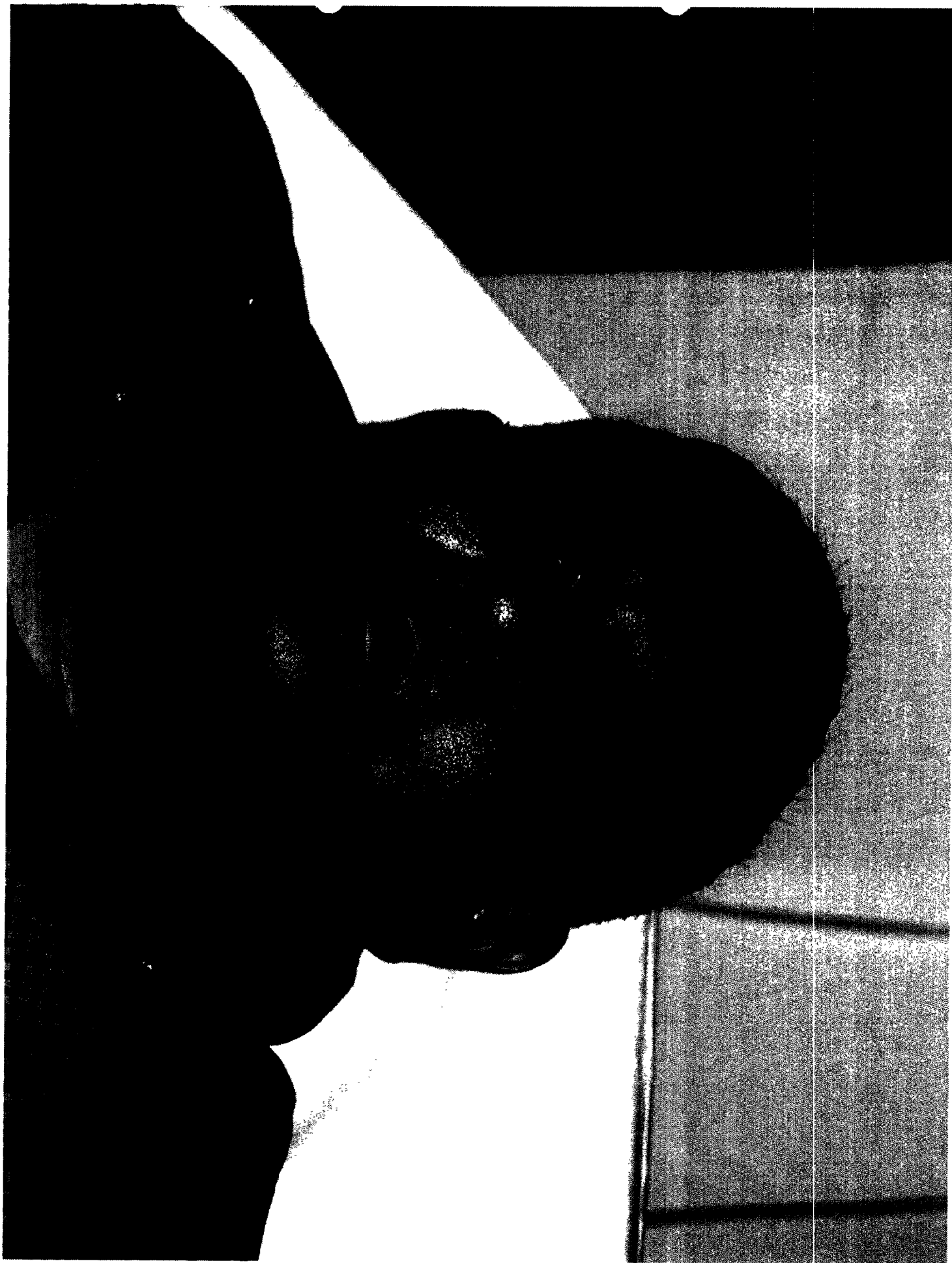


EXHIBIT

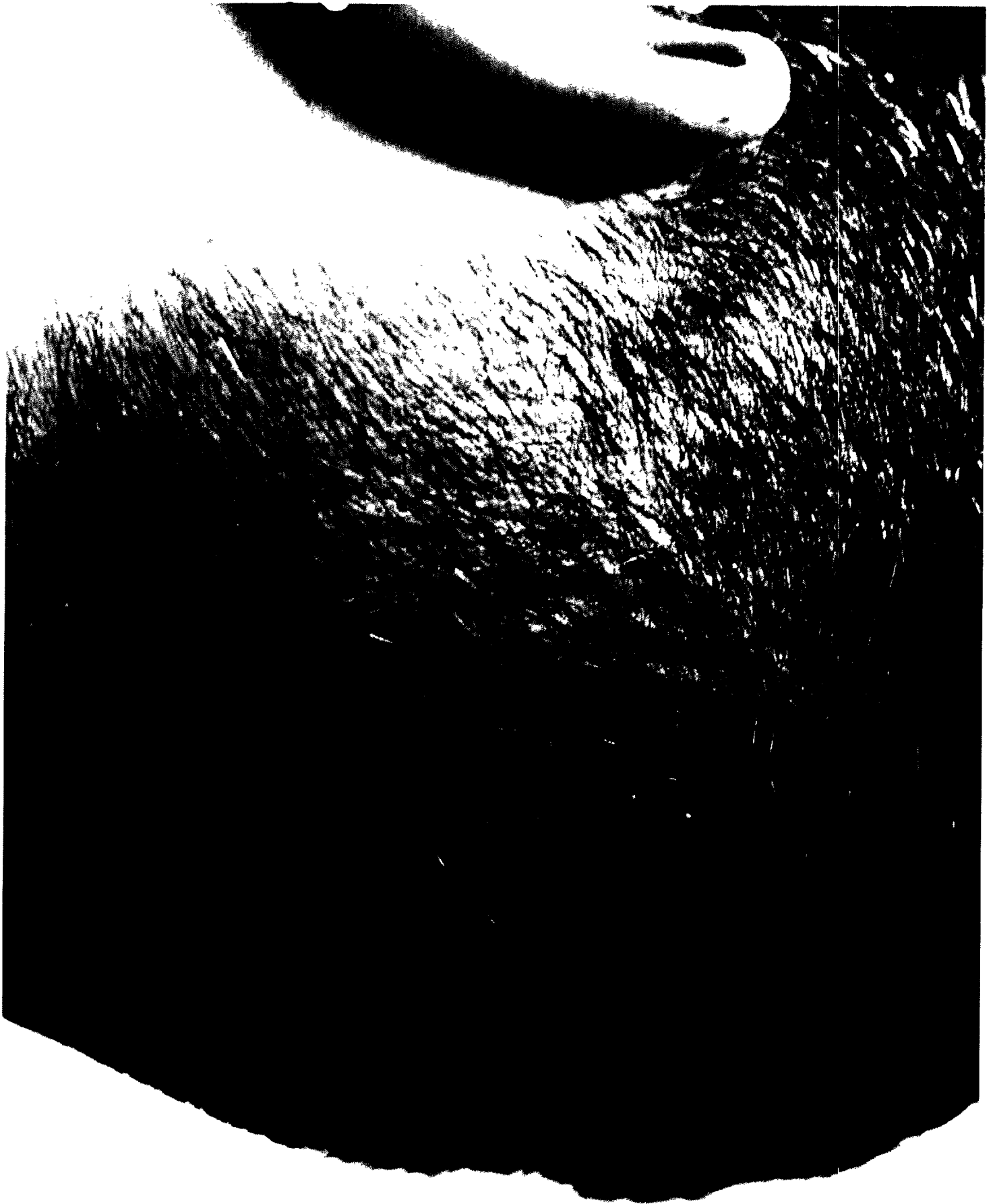
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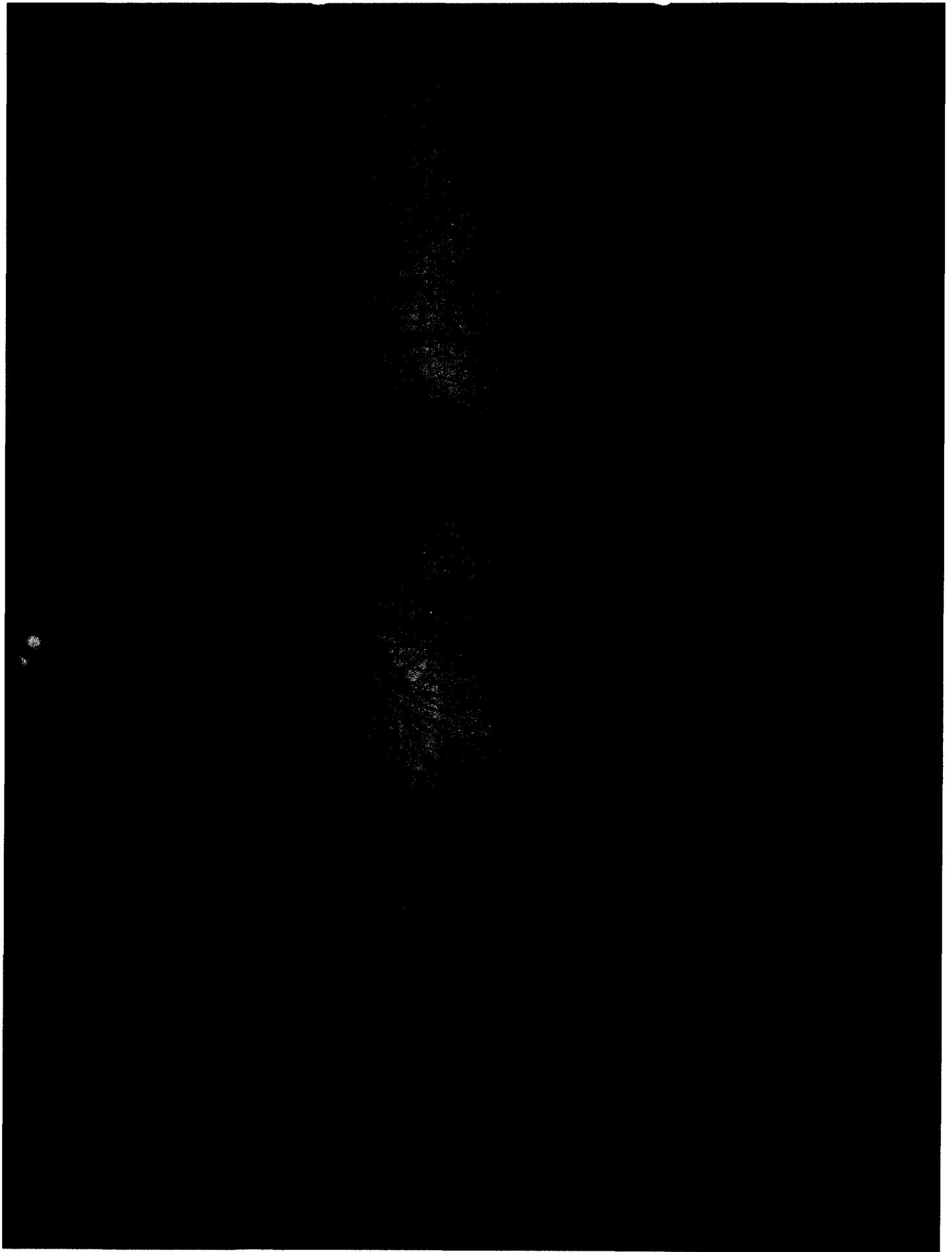














SEALED DOCUMENT

CASE NUMBER CIVIL C-05-280

Eric A. Gonzales

VS.

City of Corpus Christi, et al.

Attachment to

**Plaintiff's Exhibits Volume I Containing Exhibits
Relied Upon in Support of Objection and Response
to Defendants Motion for Summary Judgment**

Filed on October 5, 2005

**THIS INSTRUMENT IS FILED IN NUMERIC ORDER AND
IS LOCATED IN THE U.S. DISTRICT CLERK'S VAULT**